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(Date of Deposit)

Steven J. Elleman

41,733  
Reg. No.

PATENT

RECEIVED  
JAN 21 2004  
TC 1700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of

Applicant : John M. Hetzel, Jr.  
Serial No. : 09/689,131  
Title : FIBERGLASS COMPOSITE FIRE FIGHTING HELMET AND  
METHOD FOR MAKING A FIBERGLASS COMPOSITE  
FIREFIGHTING HELMET  
Docket : 520219-273  
Examiner : S. Staicovici  
Art Unit : 1732

Assistant Commissioner of Patents  
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Sir:

Before examination, please amend this application as follows:

01/13/2004 JBALINAN 00000077 09689131

02 FC:1202

18.00 OP



01-12-04

Customer No. 27805

PTO/SB/30 (09-03)

Approved for use through 07/31/2006. OMB 0651-0034  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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RCE  
1700

**Request  
for  
Continued Examination (RCE)  
Transmittal**

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

<i>Application Number</i>	09/689,131
<i>Filing Date</i>	October 12, 2000
<i>First Named Inventor</i>	John M. Hetzel, Jr.
<i>Art Unit</i>	1732
<i>Examiner Name</i>	S. Staicovici
<i>Attorney Docket Number</i>	520219-273

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

- 1. Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a.  Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- i.  Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_  
ii.  Other \_\_\_\_\_

- b.  Enclosed

- |   |   |
|---|---|
| i. <input type="checkbox"/> Amendment/Reply               | iii. <input type="checkbox"/> Information Disclosure Statement (IDS)      |
| ii. <input type="checkbox"/> Affidavit(s)/ Declaration(s) | iv. <input checked="" type="checkbox"/> Other Preliminary Amendment _____ |

**2. Miscellaneous**

- a.  Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)  
b.  Other \_\_\_\_\_

**3. Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

- a.  Deposit Account No. \_\_\_\_\_

- i.  RCE fee required under 37 CFR 1.17(e)  
ii.  Extension of time fee (37 CFR 1.136 and 1.17)  
iii.  Other \_\_\_\_\_

- b.  Check in the amount of \$ 770.00 enclosed

- c.  Payment by credit card (Form PTO-2038 enclosed)

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Steven J. Elleman	Registration No. (Attorney/Agent)	41.733
Signature		Date	

**CERTIFICATE OF MAILING OR TRANSMISSION**

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Name (Print/Type)	Steven J. Elleman	Date
Signature	<u>SJEL</u>	1/9/04

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Customer No. 27805

PTO/SB/17 (08-03)

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# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 788.00)

## Complete if Known

Application Number	09/689,131
Filing Date	October 12, 2000
First Named Inventor	John M. Hetzel, Jr.
Examiner Name	S. Staicovici
Art Unit	1732
Attorney Docket No.	520219-273

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## METHOD OF PAYMENT (check all that apply)

 Check    Credit card    Money Order    Other    None
 Deposit Account:

Deposit Account Number	20-0809
Deposit Account Name	Thompson Hine LLP

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below    Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 750	2001 375	Utility filing fee	
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$ 0)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
54	5	5	53	18 = 1 X 18 = 18	
-20	-1	-1	-20	0 X 84 = 0	= 0

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 84	2204 42	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$ 18)

\*\*or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

Large Entity

Small Entity

Fee Code (\$)	Fee (\$)	Fee Code (\$)	Fee (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath			
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet			
1053 130	1053 130	Non-English specification			
1812 2,520	1812 2,520	For filing a request for ex parte reexamination			
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action			
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action			
1251 110	2251 55	Extension for reply within first month			
1252 410	2252 205	Extension for reply within second month			
1253 930	2253 465	Extension for reply within third month			
1254 1,450	2254 725	Extension for reply within fourth month			
1255 1,970	2255 985	Extension for reply within fifth month			
1401 320	2401 160	Notice of Appeal			
1402 320	2402 160	Filing a brief in support of an appeal			
1403 280	2403 140	Request for oral hearing			
1451 1,510	1451 1,510	Petition to institute a public use proceeding			
1452 110	2452 55	Petition to revive - unavoidable			
1453 1,300	2453 650	Petition to revive - unintentional			
1501 1,300	2501 650	Utility issue fee (or reissue)			
1502 470	2502 235	Design issue fee			
1503 630	2503 315	Plant issue fee			
1460 130	1460 130	Petitions to the Commissioner			
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)			
1806 180	1806 180	Submission of Information Disclosure Stmt			
8021 40	8021 40	Recording each patent assignment per property (times number of properties)			
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))			
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))			
1801 750	2801 375	Request for Continued Examination (RCE)			770.00
1802 900	1802 900	Request for expedited examination of a design application			

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 770.00)

## SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Steven J. Ellerman	Registration No. (Attorney/Agent)	41,733	Telephone	937.443.6838
Signature		Date			1/19/04

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